

101 KAR 2:076. Vacancies, detail to special duty and temporary overlap.

RELATES TO: KRS 18A.005, 18A.110(1)(g), (7), 18A.115, 18A.120

STATUTORY AUTHORITY: KRS 18A.030(2), 18A.110(1)(g), (7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 18A.110(1)(g) and (7) requires the Secretary of Personnel to promulgate administrative regulations to govern the types of appointments as necessary to implement KRS Chapter 18A. This administrative regulation establishes the requirements for filling a vacancy, for detail to special duty, and for temporary overlap.

Section 1. Filling of Vacancies. A vacancy in the classified service, which is not filled by promotion, transfer, or demotion, shall be filled by probationary appointment, reemployment of a career or laid-off employee, reversion, or reinstatement.

Section 2. Detail to Special Duty. (1) With prior approval of the secretary, if the services of an employee with status are needed in a position within an agency other than the position to which the employee is regularly assigned, the employee may be detailed to that position. If detailed to that position, the period shall not exceed one (1) year.

(2) For detail to special duty, the secretary may waive the minimum requirements if requested and justified by the appointing authority in writing.

(3) Upon approval by the secretary, the appointing authority shall notify the employee, in writing, of:

(a) The detail to special duty;

(b) The reasons for the action; and

(c) The employee's retention of status in the position from which he was detailed to special duty.

Section 3. Temporary Overlap. For training purposes or if it is in the best interests of the service, with the approval of the secretary, an agency may place an employee in a position currently occupied by another employee. If an employee is so placed, the period shall not exceed ninety (90) calendar days. (18 Ky.R. 3555; eff. 8-1-92; Am. 26 Ky.R. 96; 566; eff. 8-25-99; 39 Ky.R. 2361; 40 Ky.R. 259; eff. 9-6-2013.)